

1 Kyle A. Kinney, Esq. [Bar No. 027189]
2 LAW OFFICES OF KYLE A. KINNEY, PLLC
3 1717 N. 77th Street, Suite 6
4 Scottsdale, AZ 85257
5 Phone: [480] 269-7077
6 Fax: [480] 614-9414
7 Email: kyle@kinneylaw.net

8 *Attorney for Debtors;*
9 RONALD AND ARLENE SILVER

10 **IN THE UNITED STATES BANKRUPTCY COURT**
11 **FOR THE DISTRICT OF ARIZONA**

12 In Re:
13
14 RONALD AND ARLENE SILVER, husband
15 and wife,
16
17 Debtors.

Chapter 11

Case No. 2:17-bk-07624-SHG

**NOTICE OF LODGING PROPOSED
ORDER RE SALE OF REAL
PROPERTY**

**(Property Address:
7009 East Acoma Drive Unit 1052,
Scottsdale, Arizona 85254**

18 NOTICE IS HEREBY GIVEN pursuant to Rule 9022-1(b), Arizona Local Rules of
19 Bankruptcy Procedures, that Debtors, Arlene Silver and Ronald J. Silver, have lodged with
20 the Court a Stipulation and Proposed Order approving the sale of the real property located
21 at 7009 East Acoma Drive Unit 1052, Scottsdale, Arizona 85254, in the form attached
22 hereto.

23 Dated August 7, 2018.

24 **LAW OFFICES OF KYLE A. KINNEY,**
25 **PLLC**

26 By: /s/ Kyle A. Kinney
27 Kyle A. Kinney, Esq. (Bar No. 027189)
28 1717 N. 77th Street, Suite 6
Scottsdale, AZ 85257
Attorney for Debtors

1 This is to certify that the foregoing was
2 e-filed on August 7, 2018, in the
3 United States Bankruptcy Court,
4 And a COPY of the foregoing served via
5 electronic Notification that same date on:

6 RENEE SANDLER SHAMBLIN
7 Office of the U. S. Trustee
8 230 North First Avenue, Suite 204
9 Phoenix, AZ 85003-1706

10 Kim Lepore
11 klepore@wrightlegal.net
12 Jamin S. Neil
13 jneil@wrightlegal.net
14 WRIGHT, FINLAY & ZAK, LLP
15 16427 N. Scottsdale Road, Suite 300
16 Scottsdale, Arizona 85254
17 Attorneys for Nissan

18 ALDRIDGE PITE, LLP
19 ecfazb@aldridgepite.com
20 4375 Jutland Drive, Suite 200
21 P.O. Box 17933
22 San Diego, CA 92177-0933
23 Attorneys for Ocwen Loan Servicing

24 Lori L. Winkelman
25 Amelia B. Valenzuela
26 Quarles & Brady LLP
27 Renaissance One
28 Two North Central Avenue
Phoenix, Arizona 85004-2391
lori.winkelman@quarles.com
amelia.valenzuela@quarles.com
Attorneys for Capital One, NA as servicer
For Greenpoint Mortgage Funding, Inc

Joseph J. Tirello, Jr., Esq.
ZIEVE, BRODNAX & STEELE, LLP
3550 North Central Avenue, Suite 625
Phoenix, AZ 85012
E-mail: Jtirello@zbslaw.com
Attorneys for U.S. Bank National
Association, as Trustee for Lehman
Brothers Small Balance
Commercial Mortgage Pass-Through
Certificates, Series 2007-3

James E. Shively
BALL, SANTIN & McLERAN, PLC
2999 N. 44th Street, Suite 500
Phoenix, AZ 85018
Attorney for Lienholder
Nationstar Mortgage, LLC, as servicer for
Lehman XS Trust Mortgage Pass-
Through Certificates, Series 2007-15 N,
U.S. Bank National Association, as
Trustee

SANFORD J. GERMAINE
sgermaine@germaine-law.com
4040 E Camelback Rd Ste. 110
Phoenix, AZ 85018
Attorney for Creditor Lee & Associates

21 By: /s/ Paula D. Hillock

Kyle A. Kinney, Esq. [Bar No. 027189]
LAW OFFICES OF KYLE A. KINNEY, PLLC
1717 N. 77th Street, Suite 6
Scottsdale, AZ 85257
Phone: [480]269-7077
Fax: [480] 614-9414
Email: kyle@kinneylaw.net

Attorney for Debtors,
RONALD AND ARLENE SILVER

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

In Re:

Arlene Silver and
Ronald J. Silver, husband and wife,

Debtors.

Chapter 11

Case No. 2:17-bk-07624-SHG

**ORDER GRANTING MOTION TO
APPROVE SALE OF REAL
PROPERTY**

The Court having received Debtors in Possession, Arlene Silver and Ronald J. Silver, Motion to Approve Sale of Real Property located at 7009 East Acoma Drive Unit 1052, Scottsdale, Arizona 85254 (“Property”) pursuant to 11 U.S.C. § 363(b), FRBP 2002 & 6004 and Local Rule 6004-1 (“Motion”), and with one limited objection having been filed by lien holder Wells Fargo Bank, N.A. as certificate trustee for Gonzalo Residential Asset Trust (“Lienholder”), through its loan servicer Ocwen Loan Servicing, LLC, within the 21 day period and with proper notice and service haven been made pursuant to Rule 2002 of Federal Rules of Bankruptcy Procedure, and Local Rule 9013-1(k)(1); and with such limited objection having been resolved by way of stipulation of the parties;

IT IS HEREBY ORDERED authorizing Debtors to sell the Property pursuant to the terms as set-forth in the proposed purchase contract attached to the Motion;

IT IS FURTHER ORDERED that Lienholder shall be paid in full at the close of escrow subject to a payoff quote obtained at the time of closing;

IT IS FURTHER ORDERED that Debtors shall contact Lienholder and/or its counsel of record prior to the closing of the sale to obtain an updated payoff quote for the

1 Subject Loan. Lienholder may require such updated payoff demand prior to the close of
2 escrow to ensure Lienholder's claim is paid in full;

3 IT IS FURTHER ORDERED that Lienholder's claim shall not be surcharged in any
4 way with the costs of the sale, broker commissions, attorneys' fees or any other
5 administrative claims, costs or expenses in connection with the sale of the Property;

6 IT IS FURTHER ORDERED that if the sale of the Property is not completed or
7 funds are not received by Lienholder to satisfy the subject loan in full after closing,
8 Lienholder shall retain its lien for the full amount due under the subject promissory note;

9 IT IS FURTHER ORDERED that to the extent Debtors dispute any amounts which
10 Lienholder claims are owed on the subject loan, that the undisputed amount of the
11 Lienholder's claim will be paid at the close of the sale and for the disputed amount of
12 Lienholder's claim to be segregated in an interest bearing account with an additional
13 \$10,000 in sale proceeds pending further Order of this Court to allow for Lienholder and/or
14 Debtors' potential recovery of any of its reasonable attorney's fees and costs incurred in
15 successfully prevailing upon such dispute;

16 IT IS FURTHER ORDERED that if Debtors fail to close escrow and payoff the
17 subject loan in accordance with this Order within ninety (90) calendar days of entry of this
18 Order, Debtors shall file and notice a motion with this Court requesting an extension to
19 complete the sale;

20 IT IS FURTHER ORDERED that in the event Debtors complete the sale of the
21 Property prior to confirmation of the Chapter 11 Plan, the Plan and/or Confirmation Order
22 shall be amended to reflect the sale of the Property and payment of Creditor's secured claim
23 in full;

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26 ///

27 ///

28 ///

IT IS FURTHER ORDERED that, except for liens, costs and commissions to be paid through escrow as stated in the purchase contract and above, that Debtors shall retain all proceeds received from the sale and shall not make any disbursements unless expressly authorized by this Court or within the ordinary course of business.

SIGNED AND DATED ABOVE